

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

RAJAN PATEL	)	
	)	
Plaintiffs,	)	Civil Action No. 2:21-cv-00546
	)	
v.	)	
	)	Hon. Nitza I. Quiñones-Alejandro
ECFMG,	)	
	)	
Defendant.	)	

---

**[PROPOSED] ORDER**

**AND NOW**, this \_\_ day of \_\_\_\_\_ 2021, upon consideration of Defendant’s Motion for Leave to File a Reply Memorandum of Law in Further Support of its Motion to Dismiss Plaintiff’s Amended Complaint (“Motion for Leave”), **IT IS HEREBY ORDERED** that said Motion is **GRANTED**. Defendant’s Reply Memorandum of Law in Further Support of its Motion to Dismiss Plaintiff’s Amended Complaint, attached to the Motion for Leave as Exhibit 1, and accompanying exhibits are hereby deemed filed.

BY THE COURT:

---

Quiñones Alejandro, J.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

RAJAN PATEL	)	
	)	
Plaintiffs,	)	Civil Action No. 2:21-cv-00546
	)	
v.	)	
	)	Hon. Nitza I. Quiñones Alejandro
ECFMG,	)	
	)	
Defendant.	)	

---

**DEFENDANT’S MOTION FOR LEAVE TO FILE A REPLY MEMORANDUM OF  
LAW IN FURTHER SUPPORT OF ITS MOTION TO  
DISMISS PLAINTIFF’S AMENDED COMPLAINT**

Defendant ECMFG<sup>1</sup>, by and through its undersigned counsel, hereby moves for leave of Court to file a Reply Memorandum of Law in Further Support of ECMFG’s Motion to Dismiss Plaintiff’s Amended Complaint (ECF 26). In support thereof, ECMFG avers as follows:

1. On September 17, 2021, Plaintiff filed the Amended Complaint. (ECF 25).
2. On October 1, 2021, ECMFG filed its Motion to Dismiss Plaintiff’s Amended Complaint. (ECF 26).
3. On October 20, 2021, Plaintiff filed an Opposition titled “Rebuttal to Defendant’s Motion to Dismiss.” (ECF 29).
4. Plaintiff’s Opposition raises new factual assertions and legal arguments regarding the claims in this matter that Plaintiff did not plead in his Complaint and, therefore, that ECMFG did not have the chance to address in its Motion to Dismiss Plaintiff’s Amended Complaint.

---

<sup>1</sup> Plaintiff named “ECFMG” as the defendant in this action. As a matter of record, ECMFG’s full, legal name is the Educational Commission for Foreign Medical Graduates. However, for ease of reference, Defendant will refer to itself as “ECFMG.”

5. ECFMG respectfully submits that its proposed Reply Memorandum of Law in Support of its Motion to Dismiss Plaintiff's Amended Complaint, attached hereto as Exhibit 1, is necessary to respond to and rebut these factual assertions and legal arguments.

**WHEREFORE,** ECFMG respectfully requests that the Court grant this Motion for Leave, enter the attached proposed order, and order the Clerk to docket the attached Exhibit 1 as Defendant ECFMG's Reply Memorandum of Law in Support of its Motion to Dismiss Plaintiff's Amended Complaint.

Dated: November 8, 2021

Respectfully submitted,

/s/ Max O. Bernstein

Elisa P. McEnroe, PA Bar No. 206143  
Max O. Bernstein, PA Bar No. 325405  
MORGAN, LEWIS & BOCKIUS, LLP  
1701 Market Street  
Philadelphia, PA 19103-2921  
Telephone: +1.215.963.5917  
Facsimile: +1.215.963.5001  
elisa.mcenroe@morganlewis.com  
max.bernstein@morganlewis.com

*Attorneys for Defendant ECFMG*

**CERTIFICATE OF SERVICE**

I do hereby certify that on this date, I caused true and correct copies of the foregoing document to be served via the ECF system and email upon:

Rajan Patel  
8701 Deanne Dr.  
Gaithersburg, MD 20882  
drpat108@gmail.com

*Plaintiff*

DATED: November 8, 2021

/s/ Max O. Bernstein  
Max O. Bernstein